

Notice of Allowability

Application No.

09/714,789

Examiner

Johnna R. Loftis

Applicant(s)

ROBINSON, GARY

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 11/16/05.
2. ☒ The allowed claim(s) is/are 6 and 8-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 02032006.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gerry Elman on 2/3/06.

The application has been amended as follows:

Claims 1-5 (cancelled)

Claim 6 (currently amended), A method upon a networked computer system including client and server computers for facilitating the creating and optimization of a database system for managing clusters representing a cluster of works, ordered so that the works represented in a given cluster are selected to be consistent with the tastes of a particular plurality of users having similar tastes to one another, said method comprising:

Displaying registration user interface elements for enabling individuals to register where, by becoming users, individuals have the ability to log on from remote client computers to a server computer;

Accepting input through said registration user interface elements whereby a database is updated with logon information for said users;

Art Unit: 3623

Displaying logon user interface elements for enabling said users to log on to said networked computer system;

Carrying out logon requests received through said logon user interface elements;

Creating new clusters in the database system, wherein said creating comprises specifying at least one work using at least one from the group consisting of automatically creating clusters in the database system by execution of a cluster creating software algorithm and creating clusters in the database system in accordance with input of logged on users obtained through cluster specification user interface elements;

Receiving suggestions from said users for changing the composition of said clusters such that, overall, individual clusters each ~~are intended to~~ better match the tastes of a particular plurality of users;

Executing a software algorithm which determines whether a suggested possible change in the clustering would, overall, ~~be likely to result in improving or harming~~ better or worsen said clusters' ability to each match the tastes of a particular plurality of users who share similar tastes;

Implementing at least one of said changes in at least one database of the database system; and

Displaying selected attributes of selected ones of a plurality of clusters such that said displaying is viewable by a plurality of said users.

7. (cancelled)

8. (currently amended) The method of claim 6, ~~wherein said~~ further comprising:

Receiving additional suggestions that ~~are at least in part~~ a result of executing software embodying a clustering algorithm which determines potential changes and determines whether,

Art Unit: 3623

overall, said clusters ~~are each likely to better match a particular plurality of users who share similar tastes~~ and which automatically creates clusters which ~~tend to maximize those criteria.~~

9. (currently amended) The method of claim 8 wherein said software algorithm ~~including~~ includes a step for using mutual information as the measure of the degree to which, overall, said clusters ~~are likely to improve or harm the ability of individual clusters to better match a particular plurality of users~~ each better or worsen said clusters' ability to match the tastes of a particular plurality of users who share similar tastes.

10. (currently amended) The method according to claim ~~7~~ 6, wherein said suggestions are input by users through an HTML interface.

Claims 11-30 (previously presented.)

2. The following is an examiner's statement of reasons for allowance: The prior art alone or in combination fails to teach the claimed invention set forth in claims 6, 8-30. Specifically, the invention set forth is directed to creating and managing clusters representing a plurality of works, ordered so that a given cluster is consistent with the tastes of a particular plurality of users having similar tastes to one another wherein suggestions for changing the composition of the clusters are received from the users themselves in order to better match the tastes of users. The closest prior art, Shardanand teaches collections of songs rated by a single user wherein an algorithm determines the collection of songs based on user input and modification to the clusters is only performed by social filtering algorithms. Shardanand fails to teach a system wherein the users themselves are able to suggest recommended works to modify the cluster.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Whiteis, US 5,749,081 – system and method for recommending items to a user

Robinson, US 5,884,282 – automated collaborative filtering system

Chislenko et al, US 6,041,311 – method and apparatus for item recommendation using automated collaborative filtering

Tatsuoka, US 6,260,033 – method for remediation based on knowledge and/or functionality

Ryan et al, US 6,421,675 – search engine

Hosken, US 6,438,579 – automated content and collaboration-based system and methods for determining and providing content recommendations

Schuetze et al, US 6,564,202 – system and method for visually representing the contents of a multiple data object cluster

Van Stam, US 2003/0014759 – intelligent peer-to-peer system and method for collaborative suggestions and propagation of media

Hoch, US 2003/0191753 A1 – filtering contents using a learning mechanism

Art Unit: 3623

De Bonet et al, US 6,985,694 – method and system for providing an audio element cache in a customized personal radio broadcast

Bezos et al, US 6,963,850 – computer services for assisting users in locating and evaluating items in an electronic catalog based on actions performed by members of specific user communities

Payton, US 6,681,247 – collaborator discovery method and system

Herz, US 6,460,036 – system and method for providing customized electronic newspapers and target advertisements

Jacobi et al, US 6,064,980 – system and methods for collaborative recommendations

Good, Nathaniel et al, Combining Collaborative Filtering with Personal Agents for Better Recommendations

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnna R. Loftis whose telephone number is 571-272-6736. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JL
2/3/06



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